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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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GEO. M. MARTIN COMPANY, a California corporation, and THE MARTIN FAMILY TRUST - 1989,

No. C 07-00692 WHA

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Plaintiffs,

ORDER DENYING REQUESTS TO FILE UNDER SEAL

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ALLIANCE MACHINE SYSTEMS INTERNATIONAL, LLC, a Wyoming corporation,

Defendant.

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Plaintiffs and defendant's requests to file documents under seal are **DENIED**. In *Kamakana v. Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006), the Ninth Circuit held that *more* than good cause, indeed, "compelling reasons" are required to seal documents used in dispositive motions, just as compelling reasons would be needed to justify a closure of a courtroom during trial. Otherwise, the Ninth Circuit held, public access to the work of the courts will be unduly compromised. Therefore, no request for a sealing order will be allowed on summary judgment motions (or other dispositive motions) unless the movant first shows a "compelling reason," a substantially higher standard than "good cause." Only social security numbers, names of juveniles, home addresses and phone numbers, and trade secrets of a compelling nature (like the recipe for Coca Cola, for example) will qualify. *If the courtroom would not be closed for the information, nor should any summary judgment proceedings, which are, in effect, a substitute for trial.*

United States District Court

For the Northern District of California

1 Plaintiffs and defendant have failed to meet their burden. In their motions to seal,
2 plaintiffs and defendant have listed over twenty documents to be filed under seal. Some of the
3 documents belong to plaintiffs and some to defendant. Neither plaintiffs nor defendant,
4 however, have given a “compelling reason” for any of the documents to be filed under seal. In
5 addition, a party may not meet their burden by simply designating a document as confidential.
6 Such circumstances would confer upon the parties the power to seal any document it so
7 chooses. For the foregoing reasons, all requests to file under seal are **DENIED**.

8 **IT IS SO ORDERED.**

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10 Dated: March 12, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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